



DOCKET NO. ZM0414

Declaration for Patent Application

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As a below inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR PERFORMING A MINIMALLY INVASIVE TOTAL HIP ARTHROPLASTY**, the specification of which

heck
One

X is attached hereto.
____ was filed on ____/____/____ as
Application Serial No. _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).

I hereby appoint the following attorneys and/or agents to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: Todd A. Dawson, Reg. No. 33,165; Margaret L. Geringer, Reg. No. 29,795; Stuart E. Krieger, Reg. No. 28,731; Cary R. Reeves, Reg. 35,334; and Paul D. Schoenle, Reg. No. 27,491. Address all correspondence to Todd A. Dawson, c/o Zimmer, Inc., P.O. Box 708, Warsaw, Indiana 46581-0708, (telephone 219-372-4281, fax 219-372-4138).

21P)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing Date) (Status - patented, pending, abandoned)

(Application Serial No.) (Filing Date) (Status - patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor, Dana Mears, M.D.

Inventor's signature Donna Mark Date Feb 20, 2000

Residence (Town & State) Loudonville, NY 12211

Citizenship - USA

Post Office Address: 71 Old Niskayuna Road, Loudonville, NY 12211

Full name of second joint inventor, if any Kevin Greig

Second Inventor's signature Kevin Greig

Date 4-25-00

Residence (Town & State) Leesburg, IN 46538

Citizenship USA

Post Office Address 4011 East Lakeview Trail, Leesburg, IN 46538

Full name of third joint inventor, if any Paul A. Zwirkoski

Third Inventor's signature Paul A. Zwirkoski

Date 4-17-00

Residence (Town & State) Brighton, MI

Citizenship USA

Post Office Address 121 W. North Street, Suite 8, Brighton, MI 48116-1534

Full name of fourth joint inventor, if any _____

Fourth Inventor's signature _____

Date _____

Residence (Town & State) _____

Citizenship _____

Post Office Address _____

Full name of fifth joint inventor, if any _____

Fifth Inventor's signature _____

Date _____

Residence (Town & State) _____

Citizenship _____

Post Office Address _____

U.S. SERIAL NO. _____
FILED ON _____ 19_____
Assignee's Docket No. ZM0414

ASSIGNMENT

(In the case of a single inventor the plural pronoun is meant to be singular. Reference to "inventions" and "discoveries" is meant also to apply to ornamental and industrial designs.)

We, the below-named inventors for good and valuable consideration, receipt whereof is hereby acknowledged, do hereby assign to Bristol-Myers Squibb Company a Delaware corporation, having an office at 345 Park Avenue, New York, New York 10154 (hereinafter referred to as "assignee"), the entire right, title and interest in the United States of America, its territories and possessions in and to any and all of our inventions and discoveries in METHOD AND APPARATUS FOR PERFORMING A MINIMALLY INVASIVE TOTAL HIP ARTHROPLASTY, as described and claimed in our application for Letters Patent of the United States of America, executed by us on _____, in and to any and all patents that issue on the aforesaid patent application, and in and to any continuations, reissues and renewals thereof, the same to be held and enjoyed by the assignee, its successors, assigns or other legal representatives, to the full ends of the terms for which all patents therefor may be granted, as fully and entirely as the same would have been held and enjoyed by us if this assignment had not been made.

And we hereby agree that we will at any time, upon the request and at the expense of the assignee, execute and deliver any and all documents that may be necessary or desirable to divide, continue, perfect, confirm, import or register and to reissue the title to the foregoing inventions and discoveries, patent or design applications, and patents and reissues and renewals thereof in the assignee, its successors, assigns or other legal representatives, and we will make all rightful oaths and do all lawful acts requisite for procuring the same or for aiding therein, without further compensation, but at the expense of the assignee, its successors, assigns or other legal representatives.

We hereby further assign on the same terms and conditions as aforesaid all of our right, title and interest in all countries other than the United States of America including the right of priority under the International Convention for the Protection of Industrial Property and under any other international arrangement to which the United States of America is now or hereafter becomes a signatory, in and to the aforesaid inventions and discoveries to Bristol-Myers Squibb Company, a Delaware corporation having an office at 345 Park Avenue, New York, New York 10154.

We also hereby assign in all countries of the world any and all of our right, title and interest in and to any and all copyright property appertaining any drawings or other materials relating to the tangible means of expression and illustration of the said inventions and discoveries.

This document has been prepared in the English language at the request of the assignee.

Kevin Greig

Name

Paul A. Zwirkoski

Name

4.25.00

Date

4.17.00

Date

Kevin Greig

Signature

Paul A. Zwirkoski

Signature